

SCHIVELY'S FLAT RATE DEFENDED

Impeachment Proceedings Will Not Come to Vote Till Late Today.

BITTER ARRAIGNMENT MADE

Insurance Commissioner's Attitude on Stand Compared for Dramatic Exhibition With Billy Sunday When He Spoke in Olympia.

OLYMPIA, Wash., Aug. 25.—(Staff Correspondence.)—Although the entire day was spent by counsel in arguing on the law and the evidence in the impeachment trial of J. H. Schively, with the exception of a few minutes devoted to listening to the testimony of a witness for the defense, the Senate will not reach a vote on the guilt or innocence of the Insurance Commissioner until late tomorrow afternoon.

Today Lester P. Edge, of the House board of impeachment managers, opened the arguments continuing until noon Schively's counsel, George C. Israel, was still speaking when the impeachment court took a recess until morning, and had not yet touched on the perjury charge.

On Witness Stand.

The sole witness examined today was Charles M. Diehl, of Seattle, representing the general agency of the Title Guaranty & Trust Company, of Scranton, Pa. Mr. Diehl proved the credit of his offer to show that no application for bond as president of the Pacific Livestock Association had ever been submitted, as testified by W. C. Donovan, now Assistant Prosecuting Attorney of Spokane County, in 1906 a bonding insurance solicitor.

"Is Schively Fit?" Asks Edge.

"The only question before you is," said Mr. Edge in his argument, "is this man fit to hold the office he is now endeavoring to fill? To determine that question it is necessary for you to vote on each article of impeachment as to his guilt or innocence of the charges therein preferred." Mr. Edge cited authorities to show that impeachment is not a mode of procedure for the punishment of offenses indictable as crimes, but for arbitrary and oppressive conduct. He cited Nebraska and Louisiana cases to support the contention that offenses committed by an officer during a previous term were impeachable.

Compared to Billy Sunday.

"If there is any man here," he declared, referring to Schively, "who believes that man did not commit perjury a dozen times on the stand, he is no judge of witnesses. Not since Billy Sunday in his religious fanaticism appeared on the boards of the Olympia Theater has Olympia witnessed such a dramatic exhibition by one man."

Why, he asked, would the Pacific Livestock Company have paid Ward \$1200 to resign when he could put him out by vote of the trustees? Dismissing any purpose of condemning or commending Sam H. Nichols, ex-Secretary of State, he said Nichols at least had some manhood when he resigned his office when the offenses he had committed were publicly called to his attention. He declared that Schively's most unbecoming act on the witness stand when he attempted to "hide behind that old man, who is now approaching his eightieth year."

Cannot Impeach Deputy.

Attorney Israel contended that Schively, even if the acts complained of were criminal or wrong, cannot be impeached for conduct while a deputy. He seeks to sustain a position by citing "Mechanic's Eminent Franchise" and several Supreme Court decisions of other states. The rule relied on is that to construe a deputy to be a public officer he must be under oath, be under bond, and not be subject to removal at the will of the appointing officer, and that in all other instances the deputy is an employee for whose acts his superior alone is responsible.

Schively, he contends, was under the employee class when a deputy.

Malfeasance Not Admitted.

Mr. Israel, however, does not concede the conduct complained of constitutes malfeasance. He argued the evidence had shown the collection of advance examination fees by that means was a departmental order sanctioned by the Attorney-General and justified by conditions. The law, he insisted, required the Commissioner to make examinations of certain insurance companies, giving him the right to collect actual expenses from the companies but placing a limitation of \$500 on each examination. It was impossible, he argued, construing the law in every letter to be mandatory for the Insurance Commissioner to reimburse himself after his limitation. It was necessary to make a flat uniform rate so that the fees for one company's examination would make up the cost of examining another when the latter was in excess of \$500.

Newspaper Persecution Charged.

Israel charged newspaper persecution of his client and declared that he had ruined him no matter what might be the result of the impeachment. The charge, he said, that Schively was trying to "hide behind" "poor old Sam Nichols" was a "damnable lie on the part of the newspapers and an egregious error on the part of counsel." The matters that have been consistently hurled by the newspapers, "while this host of mad dog went up and down the state," and are now brought out for the first time, he declared, would cause the charges against Schively to fall.

NORTH BEND TO BE BUSY

All Idle Mills at Once to Resume Work, Is Report.

MARSHFIELD, Or., Aug. 25.—(Special.)—L. J. Simpson, who has just returned from San Francisco, announces that the Simpson mills at North Bend will be started full force at once. Some of the mills in that city have been idle. Besides the Simpson mill, the Reynolds mill and North Bend Lumber Company plants will also be started. It was necessary to the manufacturing wheels at North Bend will again be moving.

Lawsuit Cause of Suicide.

ABERDEEN, Wash., Aug. 25.—(Special.)—A young Austrian named Bendery, aged 23, committed suicide this morning by shooting himself in the head. He is thought to have become despondent over a lawsuit begun against him.

TWO PROMINENT FIGURES IN SCHIVELY IMPEACHMENT TRIAL



JOHN H. SCHIVELY, STATE INSURANCE COMMISSIONER OF WASH.

GEORGE A. LIEBE DEAD

OLD AND PROMINENT RESIDENT OF THE DALLES GONE.

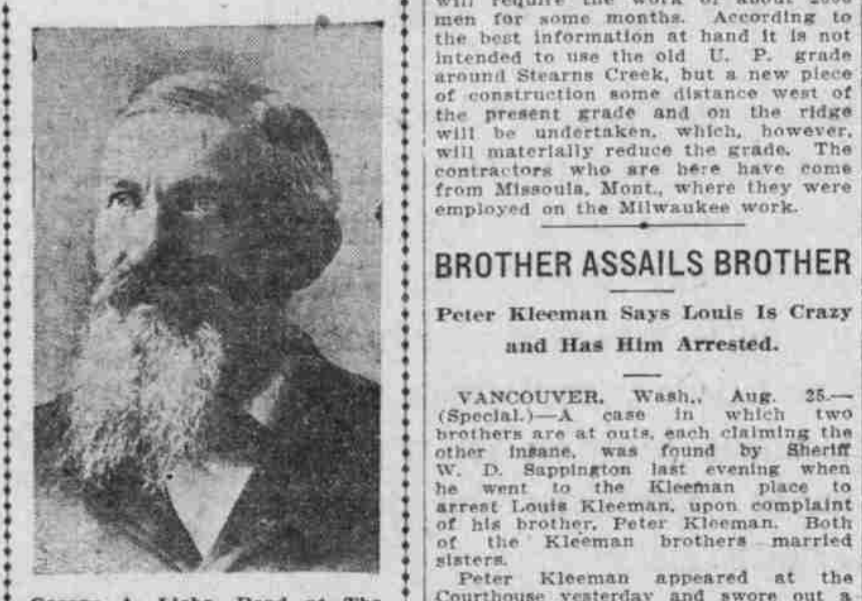
Came to City in 1858 and Has Been Well Known in Business and Masonic Circles.

THE DALLES, Or., Aug. 25.—(Special.)—George A. Liebe, who dropped dead of heart failure while splitting kindling wood at home in this city yesterday morning, was born in Gudonsburg, province of Hessen-Cassel, Germany, May 11, 1835, and came to America in 1856, landing at New York. In the same year he went to California, by way of the Isthmus of Panama, and came to The Dalles August 1, 1858. He returned to the Fatherland and on April 24, 1870, was married to Miss Caroline Bauer in his home town. After a few weeks' tour of Italy the couple started on their journey to The Dalles.

Mr. Liebe established a lucrative blacksmith and wagon-making business and enjoyed the distinction of having made the first wagon built entirely in this city for Louis Schell, architect of the old Fort Dalles garrison buildings. Mr. Liebe retired from this business 25 years ago. He served in the City Council in 1872, 1873, 1874, 1875, 1876 and 1879; was Mayor during the years 1874, 1875, 1881, 1882 and 1883; and was County Judge two terms, from 1884 to 1888. He was one of the charter members of Diligent Hook and Ladder Company, which was organized January 15, 1882, and was also one of the oldest members, in point of service, of Jackson Engine Company No. 1.

Mr. Liebe was a prominent Mason and an honorary member of the Deutscher Verein, and was the oldest Master Mason of Wasco Lodge, No. 15, A. F. and A. M., having joined that order on August 17, 1861. He repeatedly refused to serve the local Masonic lodge in any capacity except as treasurer, asserting he could not speak the English language as fluently as an officer of the lodge should. In the Spring of 1898, while he was in California for his health, Wasco Lodge, A. F. and A. M., and Dalles Chapter, R. A. M., sent him a silver loving cup in appreciation of his long-continued services as treasurer.

Mr. Liebe was vice-president of the First National Bank of this city until about two years ago, when he resigned on account of failing eyesight, but remained as a member of the board of directors. Last March a successful operation was performed on his eyes in Port-



George A. Liebe, Dead at the Dalles After Long and Successful Career in Oregon.

land. He was in apparently good health a few minutes before his sudden taking away, and his death came as a shock to his relatives and friends. Besides his wife, who died in California, he was survived by four of the seven children which were born to them: George V., of San Francisco, Cal.; Mrs. George R. Campbell, of Spokane, and Theodore and Miss Valera, of The Dalles.

The funeral of the late George A. Liebe will be held from the house Friday afternoon at 1:30 under the auspices of the Masonic Lodge, Rev. D. V. Pelling of the Congregational Church will conduct the services.

UMATILA TO BE BRIDGED

Specifications for \$10,000 Structure at Cayuse Called For.

PENDLETON, Or., Aug. 25.—(Special.)—Bids for the erection of a steel bridge across the Umatilla River, at Cayuse by the Federal Government are now being asked for. Cayuse is a small station on the reservation about 15 miles east of Pendleton. The bridge across the river has been needed badly for

ROMANCE IS ENDED

Edward Lowe, Jr., Seeks Divorce From Wife.

PROMINENT AT ABERDEEN

Young Couple Has Had Stormy Time Since Cast Off by Young Man's Millionaire Father Who Was Displeased With Match.

ABERDEEN, Wash., Aug. 25.—(Special.)—Summons and complaint in an action for divorce brought by Edward Lowe, Jr., were served upon his wife, Katharine Bradley Lowe, this morning. Lowe bases the action upon incompatibility of temper.

The marital difficulties of the Lowes, who figured prominently in Aberdeen society since their arrival in this city about a year ago, were first brought to the attention of the public a month ago by the arrest of Edward Lowe, Jr., on a charge of desertion preferred by Mrs. Lowe, in which she alleged among other things that he had given her but 50 cents in several months for her support and that he had failed to live with her or support her in any way.

Added interest was injected into the matter by the statement of Mrs. Lowe that her husband's parents had offered her a large sum of money to consent to divorce proceedings.

Lowe was arrested at midnight one day and taken in an automobile to the county seat, where he remained in jail until friends, who were notified by telephone of his trouble, hurried in a machine and gave bail. Recently he pleaded not guilty to the charge and his trial was fixed for a date next month.

It is understood that Mrs. Lowe has been offered \$25,000 in settlement on condition that she resume her maiden name, agree to a divorce and also give to an unborn child some other name than Lowe.

The Lowes were married in New York City, where she is said to have posed as an artist's model. Mrs. Lowe is a beautiful and cultivated young woman, and it is alleged among many other things that the couple was happy and contented until the young man's parents interfered in their affairs.

Young Lowe, who is the son of a Grand Rapids, Mich., multi-millionaire, came West with his bride about a year ago and started to work in a lumber mill as a common hand. This was because his father cast him off when he married. His statement made at the time of his arrest was that he had given his wife all his earnings up to a short time prior to her allegations, when he was out of work.

MAN NEARLY ROASTED

WOULD-BE ASSASSIN STEALS MONEY, THEN FIRES HOUSE.

Italian Rancher Makes Complaint to Police in Horrible Condition With Face and Hands Livid.

TACOMA, Wash., Aug. 25.—(Special.)—His face and hands blistered and burned to a livid hue, Joe Caretti, an Italian rancher, appeared at the police station tonight and told the officers a would-be assassin had entered his home, stolen \$200 he had secreted there and then set fire to the structure with the intention of roasting him alive. Caretti slept while the thief was taking place and awoke only when the flames had enveloped his bedroom and the covers on his bed had caught fire. He had to jump through a window to escape from the roaring furnace, he said, and was so badly burned that large strips of skin will have to be grafted to his face and hands to insure his recovery.

Caretti says he withdrew the money from the bank in the afternoon, and that he was followed to his home by a suspicious stranger. He secreted the money and went to bed, not striking a match or even having a light in the

CUT GLASS AND CHINA AT ONE-HALF PRICE

Advertisement for Cut Glass and China at one-half price. Includes an image of a glass vase and text: 'Big Stock Reducing and Removal Sale. Our Perfume and Toilet Article Business has increased so rapidly that we find it necessary to enlarge the space devoted to the display of this merchandise. The only space available is that now occupied by our extensive cut-glass department. We have decided to reduce our glass stock by holding a big three days' removal and stock-reducing sale. In future the cut glass section will be on the third floor. This is an unusual opportunity to secure exquisite cut glass pieces and the farsseeing ones will anticipate their Christmas needs by making selections now. Remember, every piece ONE-HALF PRICE.'

IMPORTED ART CHINA ONE-HALF PRICE

The most remarkable sale of Imported Art China ever held in Portland is ready this morning. Over TWO THOUSAND different pieces of artistic hand-made china, embracing such popular and well-known wares as Amphora, Lepletz, Royal Bonn, Dresden, Royal Vienna and a dozen others almost as well known. Sel-dom before in the history of the Northwest has such an unusual saving been offered. Wise ones will come early for best choice. Over 2000 pieces, EACH HALF PRICE.

WOODARD, CLARKE & Co. ESTABLISHED 1865

Three sons and six daughters survive him. The funeral was held in this city today. Two Prisoners Escape. SALEM, Or., Aug. 25.—(Special.)—James Adams, serving seven years for larceny committed in Crook County, made his escape yesterday from the institution for Feeble-minded, where a gang of convicts has been at work. H. S. Bittner, an ex-convict, hired a team from the Yankee livery barn yesterday afternoon for a drive into the country and was at the institution for Feeble-minded just before Adams disappeared. It is believed he aided Adams to get away. Charles Day, sent up from Clackamas County for one year for robbery, escaped from the institution for Feeble-minded today. He was received at the prison March 20. Bonds at Once to Be Issued. MARSHFIELD, Or., Aug. 25.—(Special.)—The vote for a bond issue for Marshfield, which was yesterday carried five to one, will allow the City Council to float an issue at once. The council will determine at once the amount of the issue. It will probably require \$55,000 to redeem outstanding warrants and \$2500 more to buy a lot needed for a street. The total bonds will probably be \$57,500. OSWEGO MAN IS SUICIDE. Ambrose Tapfer, Tiring of Life, Swallows Chloroform. OREGON CITY, Or., Aug. 25.—(Special.)—Ambrose Tapfer, a laborer, committed suicide at Oswego yesterday by swallowing chloroform. Tapfer's wife says that her husband had been dependent for some time, for no particular reason, and that he had threatened several times to take his life. Once she snatched a pistol from his hand. Tapfer was a laborer, but owned his own home. He leaves a little child besides his wife. Deputy Coroner Myers went to Oswego tonight and brought the body to the morgue here, where an inquest will be held tomorrow. Deceased was 35 years old.

To Maintain Your Natural Vigor during the warm Summer months, a gentle tonic is approved by most physicians. Beer is one of the healthiest and most agreeable tonics known, provided it is absolutely pure.

WEINHARD'S BEER

Combines everything that is best in the art of brewing and the name stands for unexcelled QUALITY and PURITY. Summer will be made more enjoyable by the moderate use of this superior beer.

OUR BOTTLED BEERS COLUMBIA—EXPORT—KAISERBLUME

are brewed under the most sanitary conditions, every bottle being thoroughly sterilized and pasteurized. SEND YOUR ORDERS TODAY. We deliver to all parts of the city on the West Side of the river. On Monday, Wednesday and Friday, north of East Burnside street. On Tuesday, Thursday and Saturday, south of East Burnside; North Albina, Wednesday; Sellwood, Thursday.

PRICE: Kaiserblume, large size, per case of one dozen, \$1.90. Small size, per case of two dozen, \$2.10. Columbia and Export, large size, \$1.75 per case of one dozen. Small size, \$1.90 per case of two dozen.

An additional charge of 50c will be made for shipping case, on out-of-town orders, which will be refunded upon its return. Allowance of 40c will be made upon return of case and empty bottles.

HENRY WEINHARD BREWERY PORTLAND, OREGON

PHONE A 1172, MAIN 72



Supervisors Must Resign Either Political or Government Jobs. WASHINGTON, Aug. 25.—President Taft has made it clear that he does not intend that the census work and politics shall be mixed. Acting Secretary McHugh of the Department of Commerce and Labor today received a letter from Mr. Carpenter, secretary to the President, stating that census supervisors who held political positions, such as secretaryships or chairmanships of county committees, must give up either their political or their Government position. Trunks, suitcases and bags. Largest variety at Harris Trunk Co.